

## ROSENBLUM NEWFIELD LLC

*Attorneys at Law*

RosenblumNewfield.com  
Atty@RosenblumNewfield.com

1 Landmark Square  
Stamford, CT 06901  
Tel. (203) 358-9200  
Fax (203) 358-0687

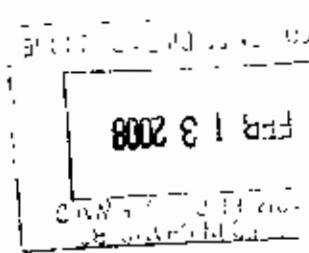
50 Main Street  
White Plains, NY 10606  
Tel. (914) 686-6100  
Fax (914) 686-6140

The Chrysler Center  
405 Lexington Avenue  
26<sup>th</sup> Floor, #28001  
New York, NY 10174

February 13, 2008

*Via Facsimile (212) 805-7927*

Honorable Naomi Buchwald  
US District Court - Southern NY  
500 Pearl Street, Chambers 2270  
New York, NY 10007-1312



Re: Hartford Fire Insurance Co. v. Cushman & Wakefield, Inc., and 444 Realty Company, LLC  
Case No.: 07 CV 2998 NRB

Dear Judge Buchwald:

We represent all Defendants in the above matter and are writing to respectfully request an extension of time to file our Reply to Plaintiff's Opposition to our Motion for Summary Judgment from Friday, February 15, to Friday, February 22, 2008.

Your Honor will recall that this is a subrogation action wherein the Plaintiff insurance company is seeking to recoup monies paid out to its insured as a result of a roof leak which occurred at the Defendants' building. The Defendants' Motion concerns a Lease Agreement which contained a risk sharing provision entitled a 'Waiver of Subrogation' clause. Within the lease it was agreed that the parties would waive any potential claims against each other for damages or loss caused by fire or other casualty, and agreed to limit their right to recovery to available insurance proceeds. This clause is the focus of Defendants' motion.

150  
Ordered.  
Hon. Robert  
Buchwald,  
URD  
2/14/08

The Defendants' Motion was timely filed on December 28, 2007, and Plaintiff's Opposition was timely filed on February 1, 2008 (Plaintiff having requested and received a 10 day extension of time from January 22, 2008 to February 1, 2008).

We respectfully request that the Court so order a one week extension, up to and including February 22, 2008, for Defendants to file their Reply.

We have discussed this request with counsel for plaintiff, Michael Golden, Esq., who consents to the above extension of time.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/16/08

Respectfully submitted,

James F. Biondo

cc: Michael Golden, Esq. (Via fax: 212-451-2999)